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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,846	02/26/2002	Joel E. Cordsmeyer	BELL-0118/01116	6839

52270 7590 06/07/2006  
POTOMAC PATENT GROUP, PLLC  
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EXAMINER

AL HASHEMI, SANA A

ART UNIT PAPER NUMBER

2164

DATE MAILED: 06/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



### **DETAILED ACTION**

1. This action is issued in response to applicant's election filed 3/31/06.
2. Claims 2, 4,6,7,12-14 were amended. Claims 8-10 were withdrawn. Claims 15-20 were added.
3. Claims 1-7, and 11-20 are pending.
4. Applicant's arguments filed 3/31/06 have been fully considered but they are not persuasive.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1, and 11, are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which "ensuring there is adequate temporary memory for storing new statistical records before the procedure initiates deletion of older statistical records in permanent memory, the new statistical recodes comprising statistical records generated while the older statistical records are being deleted" was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. It's unclear to the Examiner how the procedure would ensure the adequacy of the temporary memory if the new

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statistical records were not generated since according to the claim language the new statistical records are generated while the order statistical records are being deleted. Since the claims are enabling art will not be applied.

### *Response to Arguments*

6. Applicant argues that (Specification , 0014 Lines 9-14) discloses the support for the claimed invention as claimed in claims 1, and 11, however, the cited portion of the specification discloses “the amount of free log space that is required will necessarily depend on a number of factors such as the number of statistical records likely to be generated during the time of the purge script is running”

Examiner disagrees. The claim language discloses ensuring there is adequate temporary memory for storing statistical records. In order to ensure the adequate memory space you need to have an exact number of record to ensure the free space available. The cited portion discloses the free log space depends on some factors like number of records likely to be generated (the term likely is just a prediction or assumption), which is very different from the claim language the claim language discloses the free spaces is ensured even before the new records are being generated or the old record are being deleted. Examiner believes the cited portion of the specification does not provide the support for the claimed invention as claimed and therefore the 112 rejection is maintained and finalized.

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**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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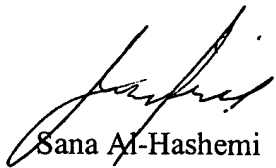
*Points of Contact*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sana Al-Hashemi whose telephone number is 571-272-4013.

The examiner can normally be reached on 8Am-4:30Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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Technology Center 2100  
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